

670 Doane Ave.,  
Claremont, Calif.,  
April 18, 1958

Louie M. Tagaban,  
743 Encanto Drive,  
Callexico, Calif.

Dear Louie,

The address of Jesús Pérez García is "16 de Septiembre". According to the form, you have him living in Jalisco, but I assume this is a mistake.

I well remember this case and several others like it that you sent in on the same date. Truly pathetic. On the face of it, you would think that any "special" who is told he has tb (or any other disqualifying disease) would have an open and shut case. He must have picked up the disease in this country, because he was certified by the majesty of the USPHS as healthy when he first entered. However, things are not always what they seem on the face of it. In my opinion, Pérez and the others who are in his position have very little likelihood of getting satisfaction at this stage of the game, for the following reasons among others:

(1) As Porter pointed out (do you think it's safe to let him in on the fact you are doing a little "compliance" work on the side?) the men are now in Mexico, and technically in precisely the same position as a man who was repatriated ten years ago -- or a man who was never in this country at all, for that matter. In other words, the insurance companies have no legal obligation toward anyone who does not have a contract at the moment. A worker who has returned to Mexico can complain about wages due him, and has a pretty good chance of collecting, but I have never heard of a single case of retroactive health services being provided.

(2) Now, you may ask whether the insurance companies have a heart and mightn't make an exception to the strict letter of the law when there is such good reason for it as in the present case. There are occasions that I know of where they have done more for a man than they strictly were required to -- e.g.; accident cases necessitating long hospitalization. Tb, though, is different. The following considerations would probably lead them to give a negative reply:

(a) Tb therapy is an extremely long-term proposition -- years and years -- and even then there is no assurance of success.

(b) Perhaps Pérez wants a cash settlement. There is no provision in the policy for cash settlements except in the case of accidents and violence resulting in loss of limbs, etc.



(c) There is always the possibility that Pérez was harboring the germs when he first came in, but they hadn't broken out in such a way that the results could be seen in a chest X-Ray.

(3) Finally, Pérez has had the misfortune of getting mixed up in a system which, through no fault of his own, is practically untouchable politically. He tried to come in as a "special." He probably had to pay a bribe to his employer, to the Mexican consul, or to U.S. Department of Labor officials -- maybe all three. This whole system is, of course, highly illegal, and is, furthermore, under very close scrutiny by Washington, D.C. I have in my files a letter, dated Jan. 17, 1958, stating this in no uncertain terms. Maybe I'll bring it down with me; you'd be interested. Now, do you think the employer, Mexican consul, and USDL representatives are going to go to bat for this poor guy when a full investigation of the case may land them in the juzgado? I hate to sound cynical -- in fact it's something you and I must fight against, Louie -- but this is a cynical program in which the powers-that-be have seen so many hundreds of thousands of poor Jesús Pérez García's shuffle past that whatever noble impulses they may once have had have long since been stifled. I would go so far as to say that a really nice guy -- a guy who gave a damn about his fellow men as individuals -- would go crazy if he was administering the bracero program.

So, you can talk to Joe Paz if you want. You can talk to Tex Collins if you want. Do whatever you think might do some good. But don't count on too much. These birds have too nice a thing going to bring an investigation down on their own heads. I hardly need to add, incidentally, that any such inquiries you make should be made in your capacity as a personal friend of Sr. Pérez, rather than in your capacity as an employee of the University of California.

It now looks as though I may get to Imperial County by April 27th after all. We can talk over Pérez's problem, along with everything else, at that time.

Hope you got the new supply of recording forms in good shape. Don't forget to indicate with an "x" the questions where you use the new wording.

With kindest personal regards.

Cordially,

Henry Anderson